REMARKS

These remarks are set forth in response to the non-final Office Action mailed April 19,

2005 (the "Office Action"). As this amendment has been timely filed with the three-month

statutory period, neither an extension of time nor a fee is required. Presently, claims 1-6 are

pending in the Patent Application. In the Office Action, the Examiner has rejected each of

claims 1-6 under 35 U.S.C. § 102(e) as being anticipated by United States Patent Publication No

2002/0126701A1 by Requena. In response, the Applicants have carefully considered the cited

portions of the Requena and respectfully traverse the Examiner's rejections on the art in that the

Applicants note several claim terms of claims 1-6 which are not apparent from the Requena

reference. Additionally, the Applicants have amended claims 1 and 5 to remedy a typographical

error. Support for the amended claims 1 and 5 can be found in the first paragraph of the Detailed

Description portion of the Applicants' patent application.

Prior to further addressing the rejections on the art, a brief review of the Applicants'

invention is appropriate. The Applicants have invented a common location-based service

adapter interface. The common location-based service adapter interface is a layered interface

configured to shield request for location-based services from the details of vender specific

location-based service adapters. In particular, responsive to receiving a request for location-

based services, the common location-based service adapter interface of the present invention can

specifically format and issue a corresponding location-based service request to a specified

underlying vender specific location-based service adapter. Upon receipt of a specifically

formatted result set from the underlying vender specific location-based service adapter, the

common location-based service adapter interface can uniformly format the result set and issue

the result set to the location-based service application.

Importantly, independent claims 1 and 5 of the Applicants' patent application recite a

method of processing requests from location-based service applications for location-based

services provided by disparate location-based service providers. The method includes the

following steps:

(1)   receiving requests for location based-services;

(2)   determining from each request a particular location-based service provider which can

service the request;

(3)   specifically formatting each request according to a specific format specified by the

particular location-based service provider;

(4)   uniformly formatting each result set produced from corresponding ones of the

requests; and,

(5)   forwarding the uniformly formatted result sets to the location-based service

applications.

By comparison, though Requena relates to systems and methods for using an application

layer control protocol transporting spatial location information pertaining to devices connected to

wired and wireless internet protocol networks, many recited elements of claims 1, 3 and 5 are

wholly lacking in the cited portions of Requena—namely paragraphs 12, 37, 61 and 120 and

Figure 1. Specifically, the second limitation, "determining from each request a particular

location-based service provider which can service the request", is not apparent in paragraph 12.

Rather, paragraph 12 only recites the checking of a signal for "spatial location information"

which can be used in "providing said presence service". Certainly, paragraph 12 does not

specify that the request can be used to determine a particular location-based service provider

which can service the request. Paragraphs 37, 61 and 120 add little more in this regard.
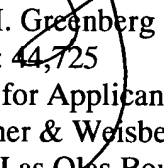
Likewise, paragraphs 12, 37, 61 and 120 of Requena fails to teach specifically formatting

each request according to a specific format specified by the particular location-based service

provider, uniformly formatting each result set produced from corresponding ones of the requests,

and forwarding the uniformly formatted result sets to the location-based service applications. In

as much as Requena fails to teach so many of the recited claim elements, Requena cannot satisfy

the base requirements of a prima facie case of anticipation outlined in the Manual of Patent

Examining Procedure, section 2131 in which it is stated, "To anticipate a claim, the reference

must teach every element of the claim." Specifically, MPEP 2131 further states, "A claim is

anticipated only if each and every element as set forth in the claim is found, either expressly or

inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of

California, 814 F.2d 628 (Fed. Cir. 1987).

Consequently, the Applicants respectfully request the withdrawal of all rejections based

upon Requena under 35 U.S.C. § 102(e) owing to the foregoing remarks. Thus, this entire

application is now believed to be in condition for allowance and such action is respectfully

requested. The Applicants request that the Examiner call the undersigned if clarification is

needed on any matter within this Amendment, or if the Examiner believes a telephone interview

would expedite the prosecution of the subject application to completion.

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Respectfully submitted,

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